

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

In re:
KIMBERLY L. SUTHERLAND

Case No. 19-01866
Chapter 13
Judge Janet S. Baer

Debtors.

Confirmation hearing:
04/12/2019 10:00 a.m.

**YORKSHIRE SQUARE TOWNHOME OWNERS ASSOCIATION'S OBJECTION TO
CONFIRMATION OF DEBTOR'S CHAPTER 13 PLAN
FILED JANUARY 23, 2019**

Now comes a certain Creditor, YORKSHIRE SQUARE TOWNHOME OWNERS ASSOCIATION, by and through its attorney, Benjamin J. Rooney of Keay & Costello, P.C., and for its objection to Debtor's chapter 13 plan filed January 23, 2019 states as follows:

1. Yorkshire Square Townhome Owners Association is a claimant-creditor of the Debtor and brings this motion pursuant to 11 U.S.C. 1324 and 1325.
2. On March 19, 2019, Yorkshire Square Townhome Owners Association filed its proof of claim with respect to Debtor's obligation to pay association assessments for the property located at 209 N. Commerce Street, Aurora, Illinois 60504. (Exhibit "A").
3. That pursuant to Yorkshire Square Townhome Owners Association's governing documents, which have been recorded with the Recorder of Deeds of DuPage County, Illinois, a lien attaches to the property of the Debtor to secure unpaid assessments and other obligations arising out of ownership of a unit under the jurisdiction of Yorkshire Square Townhome Owners Association.

4. At the time Debtor filed the chapter 13 petition on January 23, 2019, Debtor owed the amount of \$726.22 for past due assessments, late fees and attorney fees to Yorkshire Square Townhome Owners Association. (Exhibit "A").

5. Debtor's plan fails to fully and properly account for Yorkshire Square Townhome Owners Association's secured interest in the subject real estate and the pre-petition arrearage.

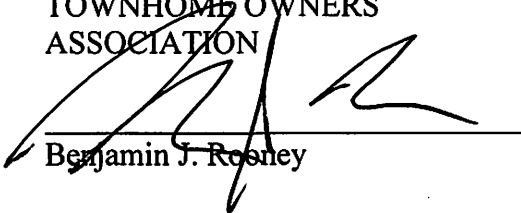
6. As a result of Yorkshire Square Townhome Owners Association's lien rights in Debtor's real estate and the proof of claim filed on March 19, 2019, Yorkshire Square Townhome Owners Association, should be included in Debtor's chapter 13 plan as a secured creditor in the amount of \$726.22.

7. As a result of Debtor's failure to fully account for the pre-petition secured debt owed to Yorkshire Square Townhome Owners Association, confirmation of Debtor's January 23, 2019 plan should be denied.

WHEREFORE, Yorkshire Square Townhome Owners Association prays this court for entry of the attached order denying confirmation of the Debtor's plan filed January 23, 2019, and for any such other and further relief as this court deems just and equitable within the premises.

YORKSHIRE SQUARE
TOWNHOME OWNERS
ASSOCIATION

By:


Benjamin J. Rooney

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